

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	) Chapter 11
	)
W. R. GRACE & CO., et al., <sup>1</sup>	) Case No. 01-01139 (KJC)
	) (Jointly Administered)
Reorganized Debtors.	)
	) Re: docket nos. 32600, 32619, 32633, 32665, 32687,
	) 32689, 32699, & 32701

---

**CERTIFICATION OF COUNSEL REGARDING [PROPOSED] THIRD AMENDED  
SCHEDULING ORDER RE THIRTY-EIGHTH OMNIBUS OBJECTION TO  
CLAIMS FILED BY SGH ENTERPRISES, INC. (SUBSTANTIVE AND NON-  
SUBSTANTIVE OBJECTION)**

---

1. On March 15, 2016, the Court entered the *Scheduling Order re Thirty-Eighth Omnibus Objection to Claims Filed by SGH Enterprises, Inc. (Substantive and Non-Substantive Objection)* [Docket no. 32665] (the “Scheduling Order”).<sup>2</sup>

2. In relevant part, the Scheduling Order ordered that parties are to file their cross-motions (if any) for summary judgment (the “Summary Judgment Motions”) on or before the first business day on or after the 75<sup>th</sup> day after March 15, 2016, which is May 31, 2016. The Scheduling Order further ordered that the non-moving party file its responses to the Summary Judgment Motions no later than thirty (30) days thereafter, which is June 30, 2016. The Scheduling Order also ordered that the moving party file its replies fifteen (15) days thereafter, which is July 15, 2016. Finally, the Scheduling Order sets the first business day on or after the 180<sup>th</sup> day after the deadline for filing replies, which is January 11, 2017 (the “Discovery”).

---

<sup>1</sup> The Reorganized Debtors comprise W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc., or “Grace”) and W. R. Grace & Co.-Conn. (“Grace-Conn.”).

<sup>2</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the *First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code of W. R. Grace & Co., et al., the Official Committee of Asbestos Personal Injury Claimants, the Asbestos PI Future Claimants’ Representative, and the Official Committee of Equity Security Holders as Modified Through December 23, 2010* [Docket No. 26368] (the “Plan”).

Commencement Date”), to commence discovery, and thereafter sets certain other dates for the completion of discovery and post-discovery dispositive motions.

3. On May 23, 2016, the Reorganized Debtors filed a *Certification of Counsel Regarding [Proposed] Amended Scheduling Order re Thirty-Eighth Omnibus Objection to Claims Filed by SGH Enterprises, Inc. (Substantive and Non-Substantive Objection)* [Docket no. 32687] (the “Certificate of Counsel”), in which the Reorganized Debtors reported that they and SGH Enterprises, Inc. (“SGH”) were engaged in settlement negotiations regarding the claims filed by SGH (the “SGH Claims”). The Certificate of Counsel requested the Court enter an order delaying the filing deadline for the Summary Judgment Motions by fifteen days, to June 15, 2016, and commensurately delaying the deadlines for filing responses and replies to July 15, 2016, and August 1, 2016 (the first business day fifteen days after the deadline for filing responses), respectively, would aid the parties in expeditiously resolving the SGH Claims. The Discovery Commencement Date of January 11, 2017, was to remain unchanged.

4. On May 24, 2016, the Court entered its *Amended Scheduling Order re Thirty-Eighth Omnibus Objection to Claims Filed by SGH Enterprises, Inc. (Substantive and Non-Substantive Objection)* [Docket no. 32689] (the “Amended Scheduling Order”), which further extended the relevant dates to permit the parties to continue to negotiate a settlement.

5. On June 13, 2016, the Court entered its *Second Amended Scheduling Order re Thirty-Eighth Omnibus Objection to Claims Filed by SGH Enterprises, Inc. (Substantive and Non-Substantive Objection)* [Docket no. 32701] (the “Amended Scheduling Order”), which also further extended the relevant dates to permit the parties to continue to negotiate a settlement.

6. On June 22, 2016, the Reorganized Debtors and SGH entered into the *Stipulation and Settlement Agreement Resolving Claims Filed by SGH Enterprises, Inc.*, the form of which

will be attached as Exhibit 1 to the Reorganized Debtors' *Motion to Approve the Stipulation and Settlement Agreement Resolving Claims Filed by SGH Enterprises, Inc.* (the "Rule 9019 Motion") and that will be filed for the hearing scheduled for July 21, 2016 (the "Approval Hearing"). The Rule 9019 Motion will also request the Court withdraw the Scheduling Order, Amended Scheduling Order, Second Amended Scheduling Order and the proposed order attached hereto as moot upon entry of an order substantially in the form of the Approval Order.

7. To enable the Court to hear the Rule 9019 Motion at the Approval Hearing without necessitating the parties having to comply with the June 29, 2016 deadline to file Summary Judgment Motions, the parties have conferred and agreed to further extend that filing deadline until three weeks after the Approval Hearing date, to August 11, 2016, and commensurately delaying the deadlines for filing responses and replies to September 12, 2016, and September 27, 2016, respectively. The Discovery Commencement Date of January 11, 2017, is to remain unchanged.

**[remainder of page left intentionally blank]**

8. The Reorganized Debtors therefore respectfully request the Court enter the amended scheduling order attached hereto as Exhibit A (the "Proposed Third Amended Scheduling Order"). The Rule 9019 Motion and the Approval Order will also contemplate the withdrawal of the Proposed Third Amended Scheduling Order as moot.

Dated: June 24, 2016

THE LAW OFFICES OF ROGER HIGGINS, LLC  
Roger J. Higgins  
1 North Bishop Street  
Suite 14  
Chicago, IL 60607-1823  
(312) 666-0431

and

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

Laura Davis Jones (Bar No. 2436)  
James E. O'Neill (Bar No. 4042)  
919 North Market Street, 17th Floor  
P.O. Box 8705  
Wilmington, DE 19899-8705  
(302) 652-4100  
(302) 652-4400

Co-Counsel for the Reorganized Debtors